

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID McCUISTION,

Plaintiff,

V.

WASHINGTON STATE ATTORNEY
GENERAL'S OFFICE and DR. HENRY
RICHARDS.

Defendants.

Case No. C06-5329RBL

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold, United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The motion to proceed *in forma pauperis* is **DENIED**. Petitioner has paid the filing fee.
- (3) The Clerk is directed to send copies of this Order to Petitioner, and to the Hon. J. Kelley Arnold.

DATED this 28th day of July, 2006.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE